

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

CASE NO. 3:19-cv-0053

THOMAS F. FRIEDBERG & SARAH L.
BUNGE,

Plaintiffs,

v.

DAYBREAK, INC., dba HUBER &
ASSOCIATES

Defendant.

JOINT STATUS REPORT

In accordance with this Court's order of September 20, 2024 (Doc. 29), directing the parties to submit a joint status report, the parties advise the Court that the Defendant's Motion to Dismiss or Stay is fully briefed and awaiting a decision and that they have engaged in no other activity in the case.

The Superior Court case, *Daybreak, Inc., dba Huber & Associates v. Thomas F. Friedberg, et al*, has resolved and has been dismissed. It is Plaintiffs' position that the Superior Court lawsuit and settlement does not affect the claims raised in the above titled lawsuit. It is Defendant's position that the settlement in the Superior Court lawsuit precludes further action in this Federal Case. Defendant will be withdrawing its Motion to Dismiss or Stay and will file an Answer and Affirmative Defenses within ten (10) days of this status. It plans on addressing the issues brought up in the Motion to Dismiss as a Motion for Summary Judgment.

Plaintiffs further request that this Court schedule a Rule 16 Trial Management

Conference to schedule dates.

Respectfully submitted,

/s/ Thomas F. Friedberg

Thomas F. Friedberg

VI Bar 1006

Attorney for Plaintiffs

1005 Rosecrans Street, Suite 202

P.O. Box 6814

San Diego, CA, 92166

(619)557-0101

tom@lawofficefb.com

/s/ Andrew C. Simpson

Andrew C. Simpson

VI Bar 451

Attorney for Defendant Daybreak Inc.

2191 Church Street, Ste. 5

Christiansted, St. Croix

U.S. Virgin Islands 00820

(340)719-3900

asimpson@coralbrief.com

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of September 2024, a true and correct copy of **JOINT STATUS REPORT** was filed on the Court's CM/ECF system, which shall provide notice to the following:

Andrew C. Simpson
ANDREW C. SIMPSON, PC
2191 Church St., Ste. 5
Christiansted, VI 00820
TEL : 340.719.3900
E-MAIL : asimpson@coralbrief.com

s/ THOMAS F. FRIEDBERG
THOMAS F. FRIEDBERG